

REMARKS

In connection with the above-identified reissue application of U.S. Patent No. 6,015,425 of January 23, 2000, Applicant submits the within preliminary Amendment, which amends the claims to add claims for a fragrant odor emitting intra nasal clip insertable within the nostrils of a person and attached to the septum of the person.

Regarding finding antecedent basis in the specification for the purposes of 112, first paragraph support for the wording of the Claims, without new matter, please note that the Abstract of the patent sought to be reissued defines "odor-emitting pads" in general.

Also, the Abstract uses the word "odorant" for describing the substance on the pads.

The specification of reissued patent at column 2, lines 16-18 describes an object to provide an odor emitting pad with odorant absorbed therein, without referring to dental environment. In addition, at column 2, lines 34-35, the specification describes an object to provide odor-emitting nasal clip with a pleasant smelling odorant.

In addition, in the specification, at the Summary, at column 2, lines 59-62, an intra-nasal clip is described with pleasant smelling odorant absorbed therewithin.

See also column 3, lines 18-22 about providing a "miniature air freshener applying a pleasant scent directly within the nostrils." Moreover, at column 3, lines 23-29,

the specification provides antecedent basis for Claims 12-22 regarding masking odors within malodorous work environments.

Concerning the words "fragrance emitting", for an intra nasal clip, at column 4, lines 21-23, the specification states that the pads of the clip "support an odor emitting material such as by being dipped in a fragrant liquid during the manufacturing process." Also, at column 4, line 40 the specification refers to the "scent of the absorbent pads."

The remaining amendments change the word "device" to "clip" in pending reissue Claims 19-21 and add the words "applying a pleasant scent directly within the nostrils of the person" to pending reissue Claim 12. The rest of the physical structure of the intra nasal clip is as described in the issued claims 1-11 of the issued patent.

No new matter is introduced by the foregoing amendment.

The originally filed reissue Declaration, which was filed within the two year period after the issuance of the patent sought to be reissued, indicated an intent to broaden the Claims.

Prior to an examination on the merits, please enter the foregoing preliminary amendment.

Please deduct the fee for the extra Claims from Applicant's attorney's Deposit Account No. 23-0120.

Respectfully submitted,

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MARKED UP COPIES OF AMENDED CLAIMS:

Pursuant to 37 CFR 1.121, marked-up copies of amended Claims 12, 19, 20 and 21 are as follows:

--12.(Amended) An odor desensitizing intra-nasal clip for persons exposed to intense, vile odors, at malodorous locations, including at least one of crime scene investigations, autopsies, sewage systems and hazardous occupational environments, comprising.

a bendable arcuate band extending between distal ends, said ends having odor emitting means affixed thereon applying a pleasant scent directly within the nostrils of the person;

said band having an inner surface coextensive with said band, said inner surface for intra-nasal contacting the respective right and left sides of a user's nasal septum, when said distal ends are inserted into a user's right and left nostrils with said band wrapped around the distal end of the nasal septum;

said band having a pair of reverse curvatures near said respective distal ends, said reverse curvatures providing for separation of said ends from contact with the surface of the user's nasal septum.

19.(Amended)The [device] clip of Claim 18 wherein said packaging pouches comprise an odor and oxygen barrier.

20. (Amended) The [device] clip of Claim 19 wherein said respective packaging pouches have weakening means for facilitating user tear-off of individual packaging pouches as desired.

21. (Amended) The [device] clip of Claim 20 wherein said weakening means comprises perforations between respective packaging pouches.

Pat6 preliminary amendment